P. F. 55 of 94

G. R. S. IX-5]

Previous references.

L. R. 119 of 91

1893-94
~~192~~ .
(L. R.)

File No. 110 of 93.

Serial Nos. 1 to 5

Later references.

L. R. 140796

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 to 5

~~Pt.~~ B for November 894.

SUBJECT.

Appeal of Pattabhi Ramiah & Bangalore regarding the Shanbhog's Kunche Kirka, Hemmaragiri Taluk.

WD 2238—GPB—20,000—14-6-20

Accounts

Appeal No 129 of 1891–94

Appt
Pallabbiramedak
minor by his
guardian & father
Mallikarjunia.
represented by

Respt
Pullanna
represented by

Appellant's father was Pl Shanbhog of Pl Kenchi
pura - Owing to his age & inability to perform
Pl duties of Pl office, he appointed Respt as his
gumasta in Vikrama - Pl Respt executed an
1881
agreement on 10th July 1881 that he would discharge
Pl duties of Pl office "as long as he Respt
likes" & pay appts father annually 45 Rs. Pl Respt having
failed to pay Pl sum Pl summoned, appts father
brought a suit for Pl amount due on Pl Dr account
Civil in 1886 - Respt pleaded that he was not
appts
a gumasta but a Hackery, but subsequently admitted
he was
that he was a gumasta, a decree was passed in favor
of Appts father. Subsequently in 1889 at Pl request of appts
father, her minor son Pl appt was appointed as

Petitioner is informed that his appeal has been struck off the file, as he has come to a settlement with Pittsmanya regarding the ~~Policy~~ aforesaid payable to him by the

Guardianship, & Respt
dale continues to do duties
as guardian. In 1892
Applt ~~Last~~ taken on behalf by
Mr. Son Mr Applt brought
a Decl for the Removal of
the Respt for the office of
guardian, ~~on the ground that~~
~~he was once entrusted with~~
~~pleaded that he was himself~~
~~to the Court, he lost all~~
~~his confidence in him~~, but
the Dr Court dismissed ~~the~~
~~Decl~~ on the ground that there
was no question of title
Respt admitted that
he was but a guardian, & that
under the Karur of 1881,
his ~~office~~ guardianship ~~was~~ ~~also~~
terminable at the will of the
Respt - and at that of the Applt
or of her father. The present
Appeal is against this decree -

At the hearing the Respt agreed to pay an
Rs 80 p. appeal in consideration of the increase in the Petaga
allowance secure the Karur & the Respt receive of
~~to withdraw~~ not to press the removal of the Respt

Rs 80 p. appeal in consideration of the increase in the Petaga allowance secure the Karur & the Respt receive of not to press the removal of the Respt

Appeal allowed
Memorandum - No order as to costs
Costs - Rs 8/19/0

(General Serial No. 32.)

1894.

No. 3533

Name of Petitioner. Sa Habbi Ramiah & guardian Mallikarjunaiah by his G. Kasi

Village.

Taluk. Bangalore

District.

Date of Arzi. 9-6-94

Date of Receipt. 11-6-94

Date of Disposal.

No. of Enclosures. ~~three~~ two.

ABSTRACT.

Appeal against the decision of the Deputy Commissioner of Bangalore dismissing Regular Suit No 1 of 1892-93 on the following grounds:-

1. The learned Deputy Commissioner erred in holding that the Appellant guardian could be removed from his office.

2. The defendant fraudulently conducted himself in his conduct and should be retained as guardian

3. The decision is against the weight of evidence & probabilities of the case

Appeal against decision in Regular Suit No 1 of 1892-93 on the file of the Court of the Deputy Commissioner of Bangalore

Stamp deficient Call for Receipt Case notice to be given Posted 19/6/94

2.J 19/6

Drafted Notice issued 19/6/94

S.P.R 27/6

Ad 6 2 August 94

2.J.

Ad 6 6 September 94

2.J 11/8

L.R. 11-6-93-1

Pet
2119

3-7-94

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 3533.

dated 9th January 94 received at the Dewan's Office from Puttaiah Ramaiah Setty, Bangarpet Bellikavalu Kamane, Bangarpet Taluk, regarding his claim to the Kantage of Kunchi Tota

is forwarded, together with its Two enclosures, to the Dy. Commr. Kolar with request to call for explanations of the entire proceedings connected with the case at an early date.

2. The petitioner prays that his emoluments should be restored.

By Order,

28/6/94

Draft

BANGALORE,
23-6-1894
3-7

Chief Secretary.

S.V.R
27/6

28/6/94

M.G.C.P. Bangalore.—2-5-94.—1,000.

(General Serial No. 30.)

6

1894 4 5

Petn
Ex
17/7/94

From Registrar Inferior Courts
Bangalore

To

The Chief Secretary to the Dewan
of Mysore.

This case is to be heard on 19.7.94.
Rad
17/7/94

Dated 14th July 1894.

L.O. 110-95-3

Despatched 14 July 1894.

Received

Enclosures No. Petition & papers in accompaniment & records.

General No. 19.

No. Nil

Original Special Memorandum regarding dated 28th ultimo forwarding petition received in the Court Office from one Pattabhi Ramaiya praying for grant of certain Inamdari Lands mentioned therein, for the reasons stated in the petition, together with the case.

Has

Ha l'onore di trasmettere l'accluso
certificato di Battesimo Cafiero Angelo
Nº 3 fol. 872 — 73 Parrocchia Campagna Vesco
Battezzato, nella figlia dell'Ecc.mo Abbate
Angelo. Pregando il Ministero a voler
credere.

Dott. Giuseppe Cafiero
Vescovo Abbate

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. No. 85396
DATE 16 SEP 94

MYSORE COURT FEE

A.S. No 129 of 93-94.

The Government of His Highness
the Maharaja of Mysore.

Revenue appeal No 93-94.

Appellant. Respondent.

Pattabhi Ramiah minor } vs Pattamma ya.
guardian Mallikarjunaiah } (Defendant)
(plaintiff).

The appellant above named respectfully begs to appeal to this Honourable Court against the decision of the Deputy Commissioner of Hassan District in Revenue Original Suit No 3 of 1892-93 on the following grounds:—

1. The learned Deputy Commissioner erred in holding that the Defendant cannot be removed from his office.

2. The Defendant rendered himself by his conduct unfit to be retained as a gumasta.

3. The decision is against law weight of

(6)

Appeal No 129 of 1893-94.

Appellant.

Pattabhiramaiya minor by his guardian and father, Mallikarjunaiya represented by Mr S. Narayana Row, Advocate.

Respondent.

Puttannaiya represented by Mr Chelvaraiyangar Advocate.

L.C. 110-93-4

Decision.

Appellants' father was the Shanbhog of the Kunche Firka. Owing to his old age and inability to perform the duties of the office, he appointed Respondent as his gumasta in Vikrama 1881. The Respondent executed an agreement on 10th February 1881, that he would discharge the duties of the office "as long as he (Respondent) likes" and pay Appellants' father annually Rs45. The

Respondent having failed to pay the sum promised, Appellants' father brought a suit for the amount due in the ~~District~~ Munsiff's Court in 1886. Respondent, at first, pleaded that he was not a gumasta but a Hakidar, ~~subsequently~~ he having ~~subsequently~~ admitted that he was a gumasta, a Decree was passed in favor of ~~Appellants'~~ his father. ~~Subsequently~~ In 1889, at the request of Appellants' father, his minor son, the Appellant was appointed as Baravardar, and Respondent still continues to do duties as gumasta. In 1892, Appellants' father, on behalf of his minor son the appellant, brought-

evidence and probabilities of the case.

Bangalore.
9th June 1894

L. Ramaswamy Aiyar
Asst. Superintendent

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a suit for the removal of Respondent from his office of guardian, and the Respondent's counsel dismissed it, on the ground that there was no question of title, since Respondent admitted that he has not a guardian and that, under the Act of 1881, his guardianship is determinable at the will of the Respondent, and not at that of the Appellant or of his father. The present appeal is against the decree.

2. At the hearing, the Respondent agreed to pay annually Rs 80 to Appellant in consideration of the latter's relinquishing the Police allowance [illegible] and the latter, and the

Appellants' father and guardian agreed to leave it and not to press the removal of the Respondent during Appellants' minority. The appeal will, therefore be struck off the file.

'By order'

Chief Secretary

Copy to the Deputy Commissioner Hassan Dist. with the records received with his No 19 of 14-7-94

'By order'

Chief Secretary

10-11-94

L.S

L.R. 110-93-5

(7)

3533.

Draft

for Chief Secretary

Advocate

for Respondents

No. 44

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT, 8

189

Endorsement granted to Sathyanarayanaiah, minor son of Ramaiah and father Venkatarangaiah, represented by Sri S. Krishnan Adv. advocate

in reply to his Petition Registered No. 3533 dated 7th June 1944 appealing against the order of the Deputy Commissioner, Kolar in Appeal No. 11 of Sriniwasapur Village Panchayat, Kolar

Petitioner is informed that his appeal has been dismissed as he has come in without the Sp[illegible] Ordinance regarding the Minors [illegible] to him in the Regulation

The Stamps are enclosed

10/10/44

11/10/44

"By Order"

Chief Secretary.

26/10/44

M. G. C. P. Bangalore—6-3-91.—2000.